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FOR UTILITY/DESIGN CIP/PCT NATIONAL/PLANT ORIGINAL/SUBSTITUTE/SUPPLEMENTAL **DECLARATIONS**

RULE 63 (37 C.F.R. 1.63) DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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above. I acknowle foreign priority bon Application which o certificate, or PCT	dge the dut clits under t lesignated : Internations	y to disclose 35 U.S.C. 1 at least one al Applicatio	derstand the contents of e all information known to 19(a)-(d) or 365(b) of any other country than the Ur n, filed by the or my assig i, or (2) If no priority claim	me to be material to reforeign applications nited States, listed b pnee disclosing the	o patentability as defi (s) for patent or inven- palow and have also i subject matter claime	ined in 37 C.F.R lor's certificate, dontified below : id in this applicat	i, 1,56, Except as or 365(a) of any i any foreign applic	s noted below, I he PCT International ≊ation for patent or	reby claim inventor's
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Except as noted be PCT international application is in ad	elow, I here applications dition to the	by claim do: listed abov It disclosed	x at bottom and continuestic priority benefit under or below and, if this is a in such prior applications wallable between the filing	ler 35 U.S.C. 119(e) a continuation-in-pat s, I acknowledge the) or 120 and/or 365(c rt (CIP) application, i duty to disclose all ir	nsofar as the sui Normation know	bject matter discli n to me to be mai	osed and claimed i Icrial to palentabilit	in lhis
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Kevin E, Joyce		20508	G. Paul Edgell	24238	Richard H. Zaitlen	- •	• •		36004
George M. Sirilla	ı	18221	Lynn E. Eccleston	35861	Roger R. Wise	312	04 James R.	. Theiri	31710
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Alan K. Aldous Deffrey S. Draed	e r	31905 41000	Robert D. Anderson Cynthia Thomas Faa	33826 stz 39973	Joseph R. Bond Sean Fitzgerald	364 320	•		35468 40670
David J. Kaplan		41105	Charles A. Mirho	41199	Leo V. Novakoski	371			39320
Thomas C. Rey	nolds	32488	Kenneth VI. Seddon	43105	Mark Seeley	322	99 Steven C	. Skabrat	36279
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Charles K. Your		39435	Thomas Raieigh Lan	ie 42781 43542	Calvin E. Wells	432 4 7 3		Brahma Davoudian	46574 47520
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Rule 56(a) & (b) = 37 C.F.R. 1.56(a) & (b) PATENT AND TRADEMARK CASES - RULES OF PRACTICE DUTY OF DISCLOSURE

(a) ...Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the [Patent and Trademark] Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability...(b) information is material to patentability when it is not cumulative and (1) It also establishes by itself, or in combination with other information, a prima facie case of unpatentability of a claim or (2) refutes, or is inconsistent with, a position the applicant takes in: (i) Opposing an argument of unpatentability relied on by the Office, or (ii) Asserting an argument of patentability

PATENT LAWS 35 U.S.C.

§102. Conditions for patentability; novelty and loss of right to patent

A person shall be entitled to a patent unless--

- (a) The invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent or
- (b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or
- (c) he has abandoned the invention, or

(f)

- (d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months* before the filing of the application in the United States, or
 - the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or
 - he did not himself invent the subject matter sought to be patented, or
- Before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

§103. Condition for patentability: non-obvious subject matter

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made. . . .
- (c) Subject matter developed by another person, which qualified as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

^{*} Six months for Design Applications (35 U.S.C. 172).